

**Amendments to the Drawings:**

The attached eight sheets of drawings include amended Figure 7a, Figure 7b and Figure 7c. These sheets, which include Figure 1 through Figure 7c, replace the replacement sheets filed October 29, 2004, which include Figure 1 through Figure 7c. Original Figure 1 through Figure 6 have not been amended.

Amended Figure 7a, Figure 7b and Figure 7c do not add any new matter.

Pursuant to the Examiner's instructions, Applicants have amended Figure 7a, Figure 7b and Figure 7c in order to limit features to information described in the original disclosure.

Attachment: Three (3) annotated sheets showing changes to Figure 7a, Figure 7b and Figure 7c

Eight (8) replacement sheets of formal drawings of Figure 1 through Figure 7c

### **REMARKS/ARGUMENTS**

Claims 1–8 are pending in the captioned application. Applicants acknowledge the Examiner's recognition of allowable subject matter in claims 5 and 6.

The drawings are objected to as containing new matter, under 35 U.S.C. § 132 and 37 C.F.R. § 1.121(f). Specifically, the Examiner states, "the threaded pipe in Fig. 7a and 7b is new matter". Applicants respectfully submit that the paragraph on page 5, line 21 through page 6, line 2, fully describes the embodiment illustrated in Figures 7a–7c. It is stated in that paragraph that, "The gear train is driven by means of a drive shaft connected to an electric servo drive motor which is located remote from the apparatus". Applicants submit that connection of the drive shaft to the gear train by means of a screw thread is conventional. However, in an effort to expedite prosecution, Applicants have amended Figure 7a and Figure 7b to eliminate the threaded pipe feature from these figures.

The Examiner also states, "in Figure 7c, the arrangement of 29, below 28 and above 27 is new matter". In response, Applicants have amended the figure so it is now arranged as shown in original Figure 2c.

Applicants respectfully submit that these amendments are fully supported by the specification and do not add new matter. Applicants request that the objection to the drawings be withdrawn. Applicants also respectfully request that the attached eight (8) sheets of formal drawings encompassing previously filed Figure 1 through Figure 6 and amended Figure 7a, Figure 7b and Figure 7c replace the drawings sheets filed October 29, 2004.

**35 U.S.C. § 103 – Rejection of Claims 1 - 4, 7 and 8**

The sole remaining issue is whether Applicants' claims 1–4, 7 and 8 are rendered obvious in light of a combination of cited references and thus not allowable under 35 U.S.C. § 103. These rejections are respectfully traversed.

Claims 1–4 and 7 are rejected under 35 U.S.C. § 103(a) as being unpatenable over Furlong (US 722,833) in view of Parmeley (US 1,254,429). Claim 8 is rejected further in view of Dazzi (US 2,786,040).

Regarding claim 1, the Examiner states, “Furlong ('833) discloses an apparatus comprising a reservoir (A) having an open top, side walls, end walls and a base ... a substantially horizontally-disposed mixing plate (F) mounted inside the reservoir, the mixing plate having a plurality of vertical holes extending through the plate ... and means (f, G) for raising and lowering the mixing plate relative to the reservoir...”. The Examiner continues, “Furlong ('833) does not disclose the reservoir being in an outer casing. Parmeley ('429) teaches placing a reservoir (28) in an outer casing (5)”. The Examiner states that “it would have been obvious to one of ordinary skill in the art to have placed the reservoir of Furlong ('833) in an outer casing to achieve the benefit of pressuring the contents of the reservoir for delivery as taught by Parmeley ('429)”. (emphasis added by Applicants).

Furlong describes a paint can having four closed sides, a bottom and a perforated top (col 1, lines 22-23). A tube B is inserted in the perforation and a stopper is inserted serving to close the same. Thus, under normal use in paint mixing, the apparatus is closed.

Parmeley shows a painting apparatus having an outer tank and an inner tank which holds paint. The apparatus can be pressurized.

Applicants contend that the problem of pressurizing the contents of a reservoir is not the problem solved by the present invention. In the present invention, the outer casing serves to support the mixing plate and provides lugs for raising and lowering the mixing plate.

It is worth noting that the documents cited by the Examiner both relate to a different technical field from the field of the present invention. Also, they were published in 1903 and 1918. It is contended that it is not obvious to combine the teachings of Furlong and Parmeley, in a different and unrelated technical field and published approximately 100 years ago, in order to arrive at the present invention. The invention as presently claimed in claim 1 is believed to be inventive over these documents.

Claims 2, 3, 4, 7 and 8 are therefore also believed to be inventive.


Applicants disagree with the Examiner's interpretation of the Furlong disclosure. Applicants believe that Furlong did not disclose an apparatus comprising a reservoir with an open top. Instead, the apparatus disclosed in Furlong has "a perforated top", with a "stopper or plug" inserted to close the tube component (B), and a handle (C) fastens on the top (page 1, lines 21-34, also see Figures 1 and 2, and claim 1). Clearly, Furlong did not describe an apparatus having a reservoir with an open top. Applicants respectfully submit that the rejections of claims 1-5 be withdrawn. Rejection for the method of use claim, claim 7, should also be withdrawn.

Applicants believe that the foregoing constitutes a full and complete response to all outstanding objections and rejections. Applicants further believe that this application is now in condition for allowance. However, should any issues remain, the Examiner is respectfully requested to telephone the undersigned at (732) 908-2875 so that the issues might be promptly resolved.

Early and favorable action is earnestly solicited.

Respectfully submitted,

AMERSHAM BIOSCIENCES CORP

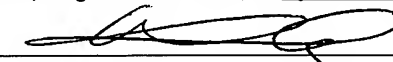
By:   
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Attachments: Three (3) Annotated Sheets of Drawings  
Eight (8) Sheets of Formal Drawings

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Signature: 

Name: Melissa Leck



Docket No.: PA9946  
Serial No.: 10/069,694  
Inventor(s): Raymond Davies, et al.  
Title: Mixing Chamber  
Replacement Sheet

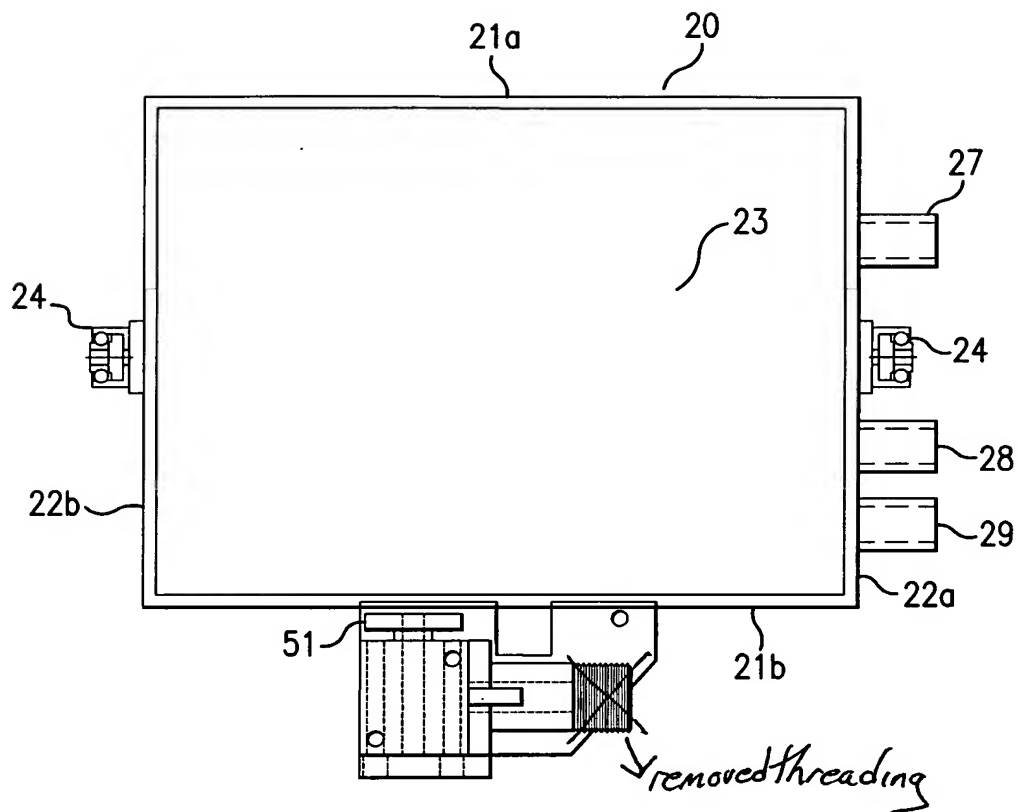


FIG. 7a



Docket No.: PA9946  
Serial No.: 10/069,694  
Inventor(s): Raymond Davies, et al.  
Title: Mixing Chamber

Replacement Sheet

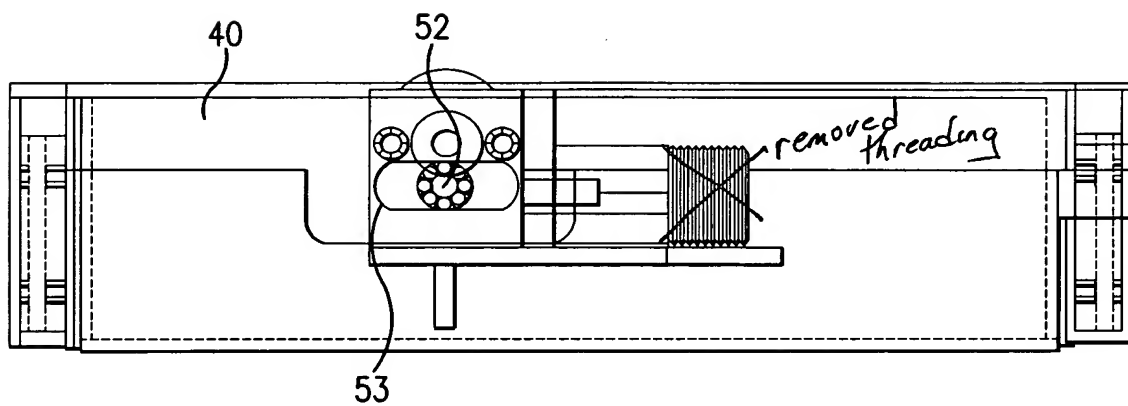


FIG.7b



Docket No.: PA9946  
Serial No.: 10/069,694  
Inventor(s): Raymond Davies, et al.  
Title: Mixing Chamber  
Replacement Sheet

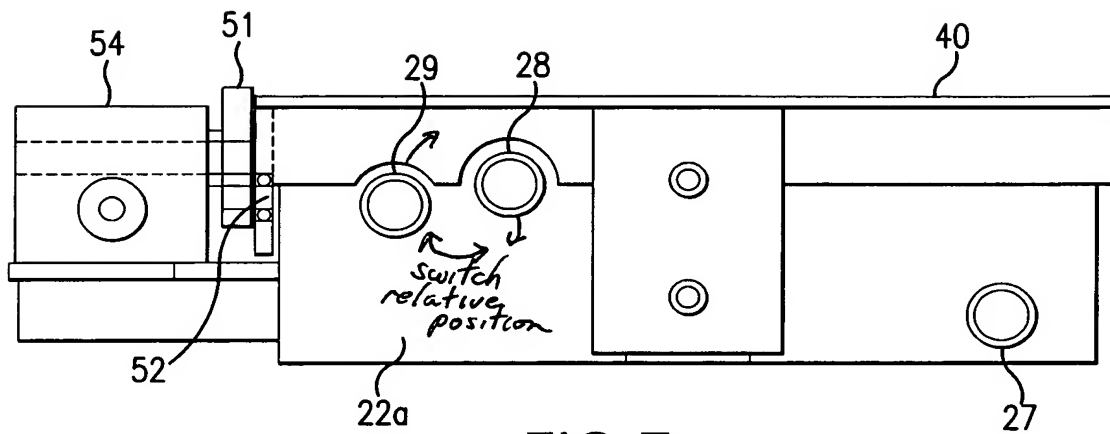


FIG. 7c